

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

JAN 30 2002  
U. S. DISTRICT COURT  
CLERK'S OFFICE  
Deputy

<b>MIKE FJETLAND,</b>	§	
Plaintiff,	§	<b>CIVIL ACTION NO.</b>
	§	
<b>V.</b>	§	<b>A 02CA 045-SS</b>
	§	
<b>SUSAN WEDDINGTON, CHAIR,</b>	§	
STATE EXECUTIVE COMMITTEE,	§	
REPUBLICAN PARTY OF TEXAS,	§	
Defendant.	§	

**JUDGMENT**

After considering the evidence tendered in this case and the argument of counsel, it is hereby **ORDERED, ADJUDGED and DECREED** that:

This Court has jurisdiction of this matter under 29 U.S.C. sections 1331 and 1367.

Based upon the evidence and upon the decisions in *Pilcher v. Rains*, 853 F.2d 334 (5<sup>th</sup> Cir. 1988) and *Texas Indep. Party v. Kirk*, 84 F.3d 178, 187 (5<sup>th</sup> Cir. 1996), this Court finds that Section 141.063(a)(2)(B) of the Texas Election Code, which requires that each petition signature be accompanied by a voter registration number, violates the 1<sup>st</sup> and 14<sup>th</sup> Amendments to the United States Constitution, and that any signatures invalidated for a lack of such voter registration number are valid. Further, the Court has considered the opinion of the Texas Supreme Court which was issued following institution of this lawsuit, and finds that petitions invalidated on the basis of a missing city are also valid.

*In Re: Kevin H. Bell*, Cause No. 02-003 (January 22, 2002). Consequently, this Court finds that Plaintiff has tendered over 500 valid signatures to Defendant as part of his application for a place on the March 12, 2002, Texas Republican primary ballot.

ACCORDINGLY, it is the judgment of this Court that Plaintiff is entitled to a place on the ballot and Defendant is hereby ORDERED to certify Mike Fjetland to the Texas Secretary of State as a candidate for District 22 of the United State House of Representatives on the March 12, 2002, Texas Republican primary ballot. Defendant Weddington shall do all things necessary pursuant to the Texas Election Code to effectuate this judgment.

Signed this 30<sup>th</sup> day of January, 2002.

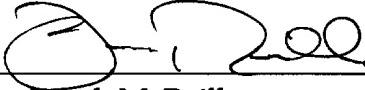
  
 THE HONORABLE SAM SPARKS  
 UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

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